

REMARKS

Currently, claims 1-2, 4-27 are pending in the present application.

Claims 1, 16, 22, 23, 24, 25 and 27 are independent claims. The present invention is directed to a method, system and software product for organizing a plurality of digital images into a particular page format in a simple and in an esthetically pleasing manner. Not only is it important to have the images appropriately positioned on the page, it is also important to provide an appropriate look so that the images being viewed on the page provide an esthetically pleasing presentation. Thus, it is not merely squeezing a number of images on a page, but placing the image on a page in a manner that is designed to achieve a desired result. The independent claims, as currently set forth, include the limitation of grouping a plurality of digital images into a plurality of different page layouts each capable of being printed. The claims also include the limitation that the different page layouts are analyzed in accordance with respect to the amount of white space in each of said plurality of page layouts and the white space is spatially balanced between said plurality of images on each page layout. First, with respect to analyzing different amounts of white space, it is important to provide an appropriate amount of white space such that the images fill up a desired amount of a printable page. However, just by simply reducing the amount of white space is not sufficient. It is important that the white space be provided such that there is an appropriate spatial balancing of the white space between the plurality of different images. The prior art totally fails to teach or suggest the present invention.

In particular, US Patent 5,956,737 to King et al. is simply directed to a method of fitting content elements on a page. White space, as is described in this reference, is simply one of the content elements. See column 40, lines 55-58. Thus, the scaling of the white space therein is just simply scaling the white space between content sections. The white space in the King et al. reference is only that portion that exists after the images have been laid out. It does not use white space as a criteria for determining the acceptability of a page layout. If the scalability of the white space is zero, it just simply means that there will be no spaces between the content sections. This is in contrast to the present invention where the white space is used to provide esthetically pleasing layouts of the various different images. In addition, the present invention sets forth the spatial balancing of the

white space between the plurality of different digital images. Clearly, this is not taught or suggested by King or any of the other references cited. The spatial balancing of the present invention is an important aspect as it plays an important factor in the overall appearance. An example as to the importance is illustrated by the drawings. In particular, see the differences between Figs. 11 and 12 as more fully described on page 10, lines 1-15. As can be seen by spatially balancing the images positioned on the page layout, a more esthetically product may be provided. It is not important that we squeeze as many images on a page or that they be tightly packed. It is important that the images that are selected for placement on a page provide a product that not only accomplishes the providing of the appropriate sized images, but does so in an esthetically pleasing manner. In none of the references cited does it teach or suggest the spatially balancing of the white space in addition to providing a selection of the layout based on white space.

The Examiner, in paragraph 7 of the Official Action, rejected claims 1-3, 5, 8, 12, 22-23, 25 and 27 under 35 USC § 102(a) as being anticipated by King et al. for the reasons set forth therein. For the reasons previously discussed, it is respectfully submitted that the King reference does not teach or suggest the invention as taught and claimed by applicant. As previously discussed, the page layouts of King stops when the image content fits on a page. This is in contrast with the present invention, as previously discussed, as each page layout fits on a page and is capable of being printed. As further described, King's definition of white space as set forth on page 7, lines 8-9, the white space is part of the image page not covered by image. In contrast to King wherein the white space is referred to as a part of the content and that is taken into account in laying out material thereon. In view of the foregoing, applicant respectfully submits that the King et al reference does not teach or suggest the present invention.

With regard to the remaining dependent claims, these claims are also patentably distinct for the same reasons previously discussed.

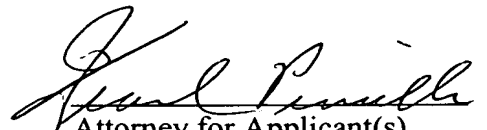
With regard to independent claim 23 of the present invention, this claim is patentably distinct for the same reasons as discussed with regard to claim 1 but also includes the limitation of normalizing the digital images after they have been grouped into a plurality of different page layouts. The normalization of the

plurality of digital images for each page layout becomes important especially when digital images are used that are obtained from different sources. When digital images are obtained from different sources, more than likely they will have different pixel resolutions. This results in certain images being relatively larger or smaller than other digital images. The normalization process helps to take into account the resolution so that they will properly be positioned and all have the same degree of resolution appropriate for that particular page layout. Thus, this claim is patentably distinct for this additional reason.

With regard to the rejection in paragraphs 18 and 40 with respect to the remaining dependent claims 4, 9-10 and 24 under 35 USC § 103(a), it is respectfully submitted that these claims are patentably distinct for the same reason as the independent claims upon which they each depend at least ultimately.

In view of the foregoing applicant respectfully submits that the claims in their present form are in condition for allowance and such action is respectfully requested.

Respectfully submitted,


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